

*AF* / *DF*  
**PATENT**

Practitioner's Docket No. NR8675US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Lee A. Nosbisch

Application No.: 10/699,535

Group No.: 1742 Confirmation No.: 2703

Filed: October 31, 2003

Examiner: Scott R. Kastler

For: STARTER SET FOR BRICK LINING OF LADLES USED IN HANDLING MOLTEN METAL

**RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP  
1742**

**Corres. and Mail  
BOX AF**

**Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL**

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.  
**STATUS**

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

**XX** deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

**XX** with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

\_\_\_\_ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_

*Christine Goellner*  
Signature

Date: December 6, 2005

Christine Goellner  
\_\_\_\_\_  
(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## STATUS

2. Applicant is other than a small entity.

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col.1)		(Col. 2)		(Col. 3)		OTHER THAN SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE	ADDIT. FEE
TOTAL	21	MINUS	22	= 0	x	\$ 50.00	= \$ 0.00
INDEP	3	MINUS	3	= 0	x	\$ 200.00	= \$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+	\$ 0.00	= \$ 0.00
TOTAL							\$ 0.00
ADDIT. FEE							

\* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

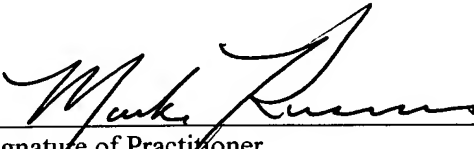
*No additional fee for claims is required.*

## FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Account No. 50-0537.  
If any additional fee for claims is required, charge Account No. 50-0537.

Date: December 6, 2005

Reg. No.: 31,115  
Tel. No.: 440-684-1090  
Customer No.: 22203

  
\_\_\_\_\_  
Signature of Practitioner  
Mark Kusner  
KUSNER & JAFFE  
Highland Place - Suite 310  
6151 Wilson Mills Road  
Highland Heights, Ohio 44143

Application No. 10/699,535  
Amendment dated December 6, 2005  
RESPONSE TO OFFICE ACTION dated September 19, 2005



**RESPONSE UNDER CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1742**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN THE APPLICATION OF : Lee A. Nosbisch  
FOR : STARTER SET FOR BRICK LINING OF  
LADLES USED IN HANDLING MOLTEN  
METAL  
  
SERIAL NO. : 10/699,535  
FILED : October 31, 2003  
CONFIRMATION NO. : 2703  
EXAMINER : Scott R. Kastler  
ART UNIT : 1742  
ATTORNEY DOCKET NO. : NR8675US

**MAIL STOP AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO FINAL OFFICE ACTION**

Dear Sir:

In response to the Final Office Action dated September 19, 2005, please amend the above-identified U.S. patent application as follows:

**Remarks/Arguments** begin on page 2 of this paper.

**Declaration of Lee A. Nosbisch** is attached hereto (following page 2 of this Response).